

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Criminal Action No.
)
FERNANDO GOMEZ-CORREA and) 11-00207-01-04-CR-W-BCW
JUAN JOSE MARTINEZ-QUEVEDO,)
)
Defendants.)

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

I. BACKGROUND

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on April 8, 2013. Defendant Gomez-Correa appeared in person and with retained counsel Henri Watson and Patrick Berrigan. Defendant Martinez-Quevedo appeared in person and with retained counsel Angela Hasty. The United States of America appeared by Assistant United States Attorney Catherine Connelly.

On March 14, 2012, a superseding indictment was returned charging both defendants with one count of conspiracy to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846, and Defendant Gomez-Correa with one count of possession with the intent to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Catherine Connelly announced that she will be the trial counsel for the government. The case agent to be seated at counsel table is Keegan Hughes, Jackson County Task Force. Mr. Watson announced that he will be the trial counsel for defendant Gomez-Correa. Ms. Hasty announced that she will be the trial counsel for defendant Martinez-Quevedo.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Ms. Connelly announced that the government intends to call 10 witnesses without stipulations or 8 witnesses with stipulations during the trial.

Mr. Watson announced that defendant Gomez-Correa intends to call 2 witnesses during the trial. The defendant may testify.

Ms. Hasty announced that defendant Martinez-Quevedo intends to call 2 witnesses during the trial. The defendant may testify.

V. TRIAL EXHIBITS

Ms. Connelly announced that the government will offer approximately 30 exhibits in evidence during the trial.

Mr. Watson announced that defendant Gomez-Correa will not offer any exhibits in evidence during the trial.

Ms. Hasty announced that defendant Martinez-Quevedo will not offer any exhibits in evidence during the trial.

VI. DEFENSES

Mr. Watson announced that defendant Gomez-Correa will rely on the defense of general denial.

Ms. Hasty announced that defendant Martinez-Quevedo will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Watson stated this case is probably not for trial.

Ms. Hasty stated this case is probably not for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody and chemist's reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take 2-2 1/2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed October 14, 2011, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by April 8, 2013;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, April 17, 2013;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury

instructions¹ by or before noon, April 17, 2013. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendants were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on April 22, 2013. The parties request the second week of the docket if the case proceeds to trial.

A Spanish-speaking interpreter is required.

/s/ Robert E. Larsen
ROBERT E. LARSEN
U. S. Magistrate Judge

Kansas City, Missouri
April 8, 2013

¹Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by April 19, 2013. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.